

Remarks

Claims 1-20 are pending in the application. By this paper, Applicants have amended claims 1-3, 13-14 and 18. No new matter has been added. Applicants believe the claims are patentable for at least the reasons presented below.

Obviousness Rejection of Claims 1-3 and 13-17

Claims 1-13 and 13-17 stand rejected under 35 USC § 103(a) as being unpatentable over US Patent No. 3,486,726 issued to Kindorf et al. (hereinafter "Kindorf"). Applicants respectfully traverse this rejection.

Claims 1 and 13 recite an adjustable clamp assembly for securing cylindrical members having variously sized standard outer diameters to an elongate U-shaped channel. The adjustable clamp assembly includes inner surfaces capable of adapting to cylindrical members having different standard outer diameters. Thus, the same clamp assembly may be capable of securing many differently sized cylindrical members. Claims 1 and 13 have been amended to more clearly reflect this feature.

Kindorf, on the other hand, does not disclose an adjustable clamp assembly for securing cylindrical members of various standard sizes. Further, Kindorf fails to teach a clamp half having an adaptable inner surface for mating engagement with the cylindrical member. Rather, the clamp assembly disclosed in Kindorf is capable of securing only one standard size of pipe. Kindorf is directed toward a clamp assembly that works equally well with two different, but common, support channels. The interchangeability between the two kinds of support channels fails to render the pending claims obvious. Instead, Kindorf still recognizes that a different clamp assembly is required for each standard size of pipe. Kindorf contemplates that a contractor will only need one type of clamp for each clamp size instead of two types of clamps for each clamp size. (*see* Abstract, col. 1, lines 34 - 40).

Therefore, Kindorf fails to teach or suggest an adjustable clamp assembly for securing cylindrical members having variously sized standard outer diameters. Specifically, Kindorf fails to disclose or suggest that each clamp half includes an adaptable inner surface for mating engagement with cylindrical members having variously sized standard outer diameters. Accordingly, claims 1 and 13 and their associated dependent claims are believed to be patentable for this reason alone.

Regarding claim 2, Applicants submit that this claim is allowable despite its dependency from an allowable independent claim. Claim 2 recites that “the adaptable inner surface of each clamp half comprises a plurality of grip bumps shaped and positioned to provide size adjustment capability for cylindrical members having variously sized standard outer diameters.” Kindorf clearly fails to disclose, teach or suggest the recited plurality of grip bumps. Accordingly, claim 2 is believed to be allowable.

Similarly, independent claim 13 also recites “a plurality of grip bumps” and is likewise allowable for the same reason as claim 2, in addition to the reasons provided above with regard to claim 1.

Obviousness Rejection of Claim 18

Claim 18 stands rejected under 35 USC § 103(a) as being unpatentable of Kindorf in view of US Patent No. 3,419, 942 issued to Dunklee (hereinafter “Dunklee”). Applicants respectfully traverse this rejection.

Claim 18 is a dependent claim which recites that “the first clamp aperture includes a boss for housing a nut, the boss having a detent formed therein for snap fit retention of the nut.” Contrary to the Examiner’s contention, Dunklee fails to disclose or suggest a detent for snap fit retention of the nut. The figures of Dunklee, which the Examiner relies upon as the only support for his rejection, disclose nothing more than a boss. Simply put, no detent exists. The boss wall is not a detent as the Examiner incorrectly suggests. Even if the

nut in Dunklee is a press fit within the boss, which is unclear at the very least, it fails to teach or suggest a detent for snap fit retention. A careful review of Applicants' specification at page 9, lines 4-20, in conjunction with Figure 1A can assist the Examiner in understanding the detent feature of the present application.

Moreover, claim 18 also recites "the second clamp half having a finger for retaining a bolt." Contrary to the Examiner's contention, Dunklee also fails to disclose or suggest a finger for retaining a bolt as taught by the Applicants' specification. The finger of the present application can grip the bolt threads ever so slightly to retain the bolt, absent purposeful force, to limit the number of clamp parts that can be lost when it is not in use. (*see* Specification, p. 9, lines 4-20; Fig. 1B). The figures of Dunklee, which the Examiner relies upon as the only support for his rejection, disclose nothing more than a boss for the bolt head to reside within. Certainly, Dunklee does not disclose a finger. The boss wall, which the Examiner improperly asserts as a finger, does not even come close to engaging the bolt threads.

Accordingly, Dunklee falls well short of teaching the recited features of claim 18, particularly the "detent" and the "finger." As a result, claim 18 is also believed to be allowable and a notice to that effect is respectfully requested.

S/N: 10/763,436
Reply to Office Action of May 18, 2005



Atty Dkt No. ZSI 0106 PUS

CONCLUSION

Applicants have made a genuine effort to respond to each of the Examiner's rejections and objections. It is believed that all formal and substantive requirements for patentability have been met in order to advance the present application to allowance, which action is respectfully requested.

If necessary, the Examiner is invited to contact the undersigned if it will aid in resolving any inquiries the Examiner may have.

Respectfully submitted,
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Date: August 18, 2005

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